

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: GARRILL, Karl Andrew, et. al.

erial No.: 09/971,799

Art Unit: 3728

"Filing Date: October 3, 2001

Examiner: Jimmy G. Foster

For: METHOD AND PACKAGE FOR STORING A PRESSURIZED CONTAINER CONTAINING A DRUG

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

		Copies of the references #10-24 are enclosed (#10-23 on enclosed CD-ROM; #24 paper copy)  Copies of the references were submitted in parent application Serial No (37 CFR 1.98(d))  A copy of the International Search Report which issued on International Application No is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.
Α.	[ ] OR	The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).
	[X]	The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).
B.	[]	The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:  (1) a final action under § 1.113 or  (2) a notice of allowance under § 1.311, whichever occurs first.
	[ ]	Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
	[X]	Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

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## Atty. Docket No. PG4113US2

C.	[]	The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.		
	In acco	cordance with the requirements of 37 CFR 1.97(d):		
	[ ]	Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. [or]		
	( )	Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and		
	[]	The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.		
[ ]		charge any required fees to Deposit Account No.07-1392. icate copy of this paper is attached.		
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Respectfully Sulmitted,

Attorney of Record: J. Michael Strickland

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Date: June 21, 2004

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Telephone: (919) 483-9024 Facsimile: (919) 483-7988 **FORM PTO-1449** ATTORNEY DOCKET NO. SERIAL NO. INFORMATION DISCLOSURE STATEMENT PG4113US2 09/971,799 APPLICANT GARRILL, Karl Andrew, et. al. **FILING DATE** GROUP October 3, 2001 3728 U.S. PATENT DOCUMENTS Filing Date Examiner Patent **Issue Date** Name Class Subclass Appropriate Initials Number LULA, et. al. 4,447,565 05/08/1984 1. 07/19/1988 2. 4,757,919 SMAZIK, et. al. 04/24/1990 MARUHASHI, et. al. 3. 4,919,984 11/05/1991 HEKAL 4. 5,062,569 5,591,379 01/07/1997 **SHORES** 5. 08/04/1998 RAM, et. al. 6. 5,789,044 12/11/2001 LIGONY 7. 6,328,327 01/20/2004 GARRILL, et. al. 8. 6,679,374 4,042,170 A 08/1977 ELKMAN, et. al. 9. Continue on page FOREIGN PATENT DOCUMENTS Translation **Document** Publication Yes | No Number Country Class Subclass Date 10. 96/04189 02/15/1996 **PCT** PCT 11. 96/29603 09/26/1996 96/33108 10/24/1996 PCT 12. 97/32663 09/12/1997 PCT 13. 4013799 04/28/1990 14. GERMANY (Abstract) 2099940 01/07/1994 CANADA (Abstract) 15. 16. 2306169 04/30/1997 GREAT BRITAIN (Abstract) 02/26/2998 GERMANY (Abstract) 17. 19633495 9947195 09/23/1999 PCT 18. 06/29/2000 19. 0037336 PCT 99/53901 10/1999 PCT 20. 1964048 A 5/1998 **GERMANY** 21. 22. 0688666 A 12/1995 **EUROPE** 0793992 A 9/1997 **EUROPE** 23. Continue on page OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.) 24. Research Disclosure document RD 433072-A, entitled "Medical Device Package with Clear Plastic Overwrap," 05/10/2000 Serial No.: 09/599,274 filed 06/22/2000 25. 26. Serial No.: 10/312,073 filed 06/22/2001 Continue on page **EXAMINER** DATE CONSIDERED EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.